

REMARKS

The Examiner has initially rejected Claims 1-14, 16-23, 27-28, 31-35, 37-43, 45-48 and 50 under 35 U.S.C. 102(b). Examiner has further initially rejected Claims 15, 24-26, 30, 36, 44 and 49 under 35 U.S.C. 103(a). However, Examiner has determined that Claim 29, although dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 29 recites the limitations “the material includes a FIR/negative ion material emitting body that has a generally cylindrical shape with a plurality of apertures through which the fluid can flow.”

Applicant has amended independent Claims 1, 8, 16, 31, 39, and 45 to include all of the limitations of Claim 29, and each should therefore be in condition for allowance. Consequently, Claims 2-7, 9-15, 17-30, 40-44, and 46-50 which are all dependent on the amended base claims, should therefore also be in an allowable form. Applicant respectfully requests reconsideration of the currently amended claims which include all of the limitations of Claim 29.

Applicant has cancelled Claim 29 from the present application.

Furthermore, Applicant has amended claim 30 so that it is dependent on the base Claim 16 instead of 29, since Claim 29 has been canceled. Applicant has further amended Claim 32 so that it is dependent on the preceding base Claim 31 instead of Claim 21. This appears to have been an inadvertent error.

CONCLUSION

Claims 1-50 were originally pending in the present application. Of these, Claim 29 has been cancelled leaving Claims 1-28 and 30-50 for examination. The Examiner has indicated the allowability of Claim 29 if rewritten in an independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended Claims 1-28 and 30-50 to include all of the limitations of Claim 29. In light of the amendments and the above-remarks, Applicant believes all considered claims are now in condition for allowance. Reconsideration of these claims is respectfully requested.

Respectfully submitted,

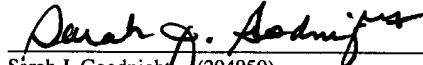
Dated: July 16, 2004

By: 

Robert W. Diehl, Reg. No. 35,118
Customer No. 26851
Wallenstein Wagner & Rockey, Ltd.
311 So. Wacker Drive – 53rd Floor
Chicago, IL 60606
(312) 554-3300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on July 16, 2004.


Sarah J. Goodnight (204950)